

MESSAGE NO: 5216203 MESSAGE DATE: 08/04/2005

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5049203
MESSAGE #
(s):

CASE #(s): A-570-884

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/28/2003 TO 05/31/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR COLOR TELEVISION RECEIVERS FROM CHINA
(A-570-884) EXCEPT SICHUAN CHANGHONG ELECTRIC CO., LTD. SEE MSG 5049203

MESSAGE NO: 5216203

DATE: 08 04 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 5049203

REFERENCE DATE: 02 18 2005

CASES: A - 570 - 884

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PERIOD COVERED: 11 28 2003 TO 05 31 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR COLOR TELEVISION RECEIVERS
FROM CHINA (A-570-884) EXCEPT SICHUAN CHANGHONG
ELECTRIC CO., LTD. SEE MSG 5049203

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT
ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS OR DUTY ORDERS.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION
351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR
THE PERIOD AND ON THE MERCHANDISE LISTED BELOW. HOWEVER, THERE
IS AN INJUNCTION IN PLACE WITH RESPECT TO CERTAIN ENTRIES.

THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY, EXCEPT FOR THE FIRMS NOTED BELOW.

COLOR TELEVISION RECEIVERS FROM THE PEOPLE'S REPUBLIC OF CHINA

(A-570-884) (11/28/2003 - 5/31/2005)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

SICHUAN CHANGHONG ELECTRIC CO., LTD.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AS NOTED IN MESSAGE NUMBER 5049203, DATED 2/18/2005. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRM AND ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE

DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:BCS).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party